

CITY COUNCIL
ATLANTA, GEORGIA

CORRECTED COPY

A SUBSTITUTE ORDINANCE

BY CITY UTILITIES COMMITTEE

01-0-0819

AN ORDINANCE TO: [i] ABANDON PORTIONS OF JONES AVENUE, N. W., SIMPSON STREET, N.W., ELLIOTT STREET, N.W., EDWARD STREET, N.W. (NORTH OF WESTERN AVENUE), EDWARD STREET, N.W. (SOUTH OF WESTERN AVENUE), JOHNSON STREET, N.W., DAVIS STREET, N.W., AND AN ALLEY; [ii] AUTHORIZE THE CITY TO WAIVE THE REQUIREMENT THAT THE APPRAISED FAIR MARKET VALUE OF THE ABANDONED PROPERTIES BE PAID TO THE CITY [iii] AUTHORIZE THE MAYOR TO EXECUTE A QUITCLAIM DEED TO THE GEORGIA STATE PROPERTIES COMMISSION CONVEYING THE ABANDONED PROPERTIES; AND [iv] FOR OTHER PURPOSES

WHEREAS, the City of Atlanta has received a formal request from the State of Georgia through the Georgia State Properties Commission, the abutting property owner, to abandon a portion of certain streets located in the City of Atlanta, for the purpose of building a parking lot for the Georgia World Congress Center expansion project; and

WHEREAS, the abandoned rights-of-way will become part of the abutting owner's private property and it will be responsible for maintaining, operating, and providing all services and utilities associated with the abandoned properties; and

WHEREAS, the Georgia State Properties Commission has requested that the City waive any compensation for the abandoned properties because, inter alia, the proposed abandonment will directly benefit the City and will also enhance local employment opportunities, as the abandonment will provide land for the construction of an expansion to the Georgia World Congress Center, a downtown employer; and

WHEREAS, the Georgia World Congress Center Authority has agreed, in consideration of the City's waivers in connection with this transaction to construct certain improvements and to take certain actions concerning MARTA, more particularly described on Exhibit "B" attached; and

WHEREAS, the Georgia World Congress Center Authority has further agreed to cooperate with the City concerning the proposed Jones-Alexander-Simpson Corridor Project contemplated by the City in the near future by agreeing to convey or swap certain properties and other rights-of-way needed by the City to complete the Project without the payment of compensation; and

WHEREAS, the request to abandon the streets without compensation has been reviewed by the proper City agencies and by all public utilities and it has been determined by the



CORRECTED COPY

appropriate City agencies, including the Department of Public Works and Bureau of Purchasing and Real Estate, that the abandonment is in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

Section 1. That Jones Avenue, N.W., between Northside Drive and Gray Street N.W. Containing 26,015.20 Square Feet. Lying and being in Land Lot 82 of the 14th District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience.

Section 2. That Simpson Street, N.W., between West Connector and Elliott Street. Containing 42,417.23 Square Feet. Lying and being in Land Lot 82 of the 14th District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

Section 3. That Elliott Street, beginning at the southwest corner of the intersection of Simpson Street running south to a point containing 20,233.55 Square Feet. Lying and being in Land Lot 82 of the 14th District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

Section 4. That Edward Street, N.W., (NORTH OF WESTERN AVENUE). Containing 11,441.70 Square Feet. Lying and being in Land Lot 82 of the 14th District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

Section 5. That Edward Street, N.W., (SOUTH OF WESTERN AVENUE). Containing 2,471.02 Square Feet. Lying and being in Land Lot 82 of the 14th District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

Section 6. That Johnson Street, N.W., between Northside Drive and Edward Street Containing 5473.65 Square Feet. Lying and being in Land Lot 82 of the 14th District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

Section 7. That Davis Street, N.W., between Western Avenue and Simpson Avenue. Containing 19,701.27 Square Feet. Lying and being in Land Lot 82 of the 14th District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

Section 8. That Gray Street, N.W., between Western Avenue and West Connector. Containing 20,118.57 Square Feet. Lying and being in Land Lot 82 of the 14th District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience



CORRECTED COPY

Section 9. That an alley, N.W., Containing 1,005.74 Square Feet Lying and being in Land Lot 82 of the 14th District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

Section 10. That all reservations for existing public or private utility easements must remain in effect for the purpose of entering the property to operate, maintain, or replace the utility facilities. These easements must remain in effect until the time that the utilities are abandoned, removed, or relocated, at which time, the easements will expire.

Section 12. That the Director of the Bureau of Purchasing and Real Estate is directed to have prepared an appraisal of the fair market value of the street rights-of-way to be abandoned and to perform all other responsibilities concerning this proposed abandonment, as outlined in the City's Code of Ordinances, including Section 2-1578.

Section 13. That all costs associated with the appraisal of the proposed abandoned properties and all costs associated with the advertising of this petition for abandonment will be charged to and paid from Account Number 1A01-524001 G55001.

Section 14. That upon approval of this ordinance, and upon acceptance of the necessary documents by the Department of Public Works, and upon receipt of payment from the petitioner in the amount of the appraised fair market value of the property, or the satisfaction of any alternative conditions under Section 2-1578 of the City's Code of Ordinances, the City Attorney is directed to prepare a Quit Claim Deed and other appropriate documents to effectuate the abandonment authorized by this Ordinance.

Section 15. That the Mayor is authorized to execute the Quit Claim Deed and other necessary documents, as determined by the City Attorney, for the abandoned street rights-of-way.

Section 16. Upon execution, the Quitclaim Deed will be filed and recorded in the Real Property Records of Fulton County, Georgia.

Section 17. That all code sections, ordinances, and parts of code sections and ordinances in conflict with this Ordinance are waived.

A true copy,

Phonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

AUG 06, 2001
AUG 13, 2001



Exhibit A



Exhibit B



CENTENNIAL
OLYMPIC PARK

01-0-0819

June 18, 2001

Councilmember "Able" Mable Thomas
Atlanta City Council
55 Trinity Avenue, S. W.
Atlanta, Georgia 30335

Dear Mable:

As you are aware, the Georgia World Congress Center Authority is requesting the City of Atlanta abandon several streets as part of the development of essential parking facilities to serve the Georgia World Congress Center expansion. The World Congress Center is owner of the property on both sides of these streets and City Ordinance 01-0-0819 would convey the streets to the State of Georgia Properties Commission without cost.

Recently the Georgia World Congress Center became aware that MARTA had been using two of these streets to run its 11-English Avenue bus route, which goes through Herndon Homes. Approximately 6 weeks ago, the City of Atlanta temporarily closed these streets for construction and MARTA has subsequently altered the 11-English Avenue route. This has created a problem for some Herndon Homes residents; a problem the Georgia World Congress Center and MARTA have made a commitment to resolve.

There needs to be both a short term and a long term solution to the issue of providing bus service to Herndon Homes. On June 13th, GWCC and MARTA met to examine solutions. Both GWCC and MARTA have agreed on the following:

- 1) For the short term, the Georgia World Congress Center will build a bus turn-around at the southeast corner of John Street and Gray Street. Construction of this turn-around will be on GWCC property and should take approximately 4-6 weeks to construct. Once completed, MARTA will be able to bring its 11-English Avenue bus down Kennedy Street to Gray Street, then Gray Street to the intersection with John Street, turn around, go back up Gray Street to Kennedy and down Kennedy to Northside Drive.
- 2) For the long term, the Georgia World Congress Center will widen John Street to be used by Herndon Homes residents. Immediately south of John Street, GWCC will construct a road from Northside Drive to Gray Street where the road will cul-de-sac and will include access to the Northyards Business Park. MARTA will be able to bring the 11-English Avenue bus onto this new road, turn off the new road onto the wider John Street, go down John Street to Gray Street, turn left onto Gray Street, go along Gray Street to Kennedy Street, turn left onto Kennedy Street, go along Kennedy



2

01-0-08

Councilmember "Able" Mable Thomas
Page Two
June 18, 2001

Street to Northside Drive. The 11-English Avenue bus would then reverse this route on its southerly return route.

MARTA's approval of this long-term solution is dependent upon a traffic light being installed at Northside Drive and the new road. Both the Georgia Department of Transportation and the City of Atlanta must agree on the installation of a traffic light at this location and Georgia DOT must conduct studies to validate the need for the traffic light. The Georgia World Congress Center Authority will do everything necessary to justify the installation of the traffic light to Georgia DOT and to the City of Atlanta.

There is another issue related to the abandonment of the streets for the Jones Avenue Parking facility. There was interest in keeping Jones Avenue open between Northside Drive and the Jones-Simpson corridor. In our meeting with you on June 16, 2001, we discussed the imminent development by the City of Atlanta of a new Jones/Simpson/Alexander corridor, which will include wider sidewalks, bike lanes, and a divided street, all designed to improve both pedestrian and vehicular access from Northside Drive to Piedmont Road. This project will cause a realignment of Simpson Street and Jones Avenue that will make obsolete any connection with the portions of Jones Avenue that the GWCC is seeking to have abandoned.

To address the desire of English Avenue residents to have improved access to the new Jones/Simpson/Alexander corridor it appears preferable to ask the City of Atlanta to install a new traffic light at Simpson Street and either Maple or Walnut Streets. It is our understanding that you will introduce the appropriate measure in City Council to accomplish this.

Thank you for coming to this past Saturday's "stakeholders" meeting, Mable. We deeply appreciate your input and I personally pledge to you we will remain committed to working with you on issues that impact the community. I appreciate your long-standing support of the Georgia World Congress Center.

Sincerely,

Dan Graveline
Executive Director

DG:BM/k

Enclosures

c: James Brown, MARTA



01-0-0819

June 19, 2001

Draft Paragraph City of Atlanta Street Abandonment Resolution

WHEREAS, The State of Georgia and The Geo. L. Smith II Georgia World Congress Center Authority are constructing an expansion to the Georgia World Congress Center at a cost of \$280,000,000.00, and

WHEREAS, this expansion project includes improvements to sidewalks and streetscapes listed below with an estimated value of \$ \$650,000.00

- Sidewalks along the east side of Northside Drive
- Sidewalks at Western Avenue
- Sidewalks at Simpson Street
- Streetscape Improvements along the east side of Northside Drive
- Streetscape Improvements at Simpson Street

and

WHEREAS, The Geo. L. Smith II Georgia World Congress Center Authority has committed to certain other improvements listed below in the area surrounding other projects with an estimated value of \$500,000.00

- Green Space Pocket Park at the Intersection of Northside Drive and Simpson Street
- Sidewalks at Maple Street
- Sidewalks at Thurmond Street
- Sidewalks along the west side of Northside Drive
- Streetscape Improvements along the west side of Northside Drive

And

WHEREAS, The Geo. L. Smith II Georgia World Congress Authority has committed to rebuilding the existing John Street at a cost of \$327,000 and to building a new access road parallel to John Street to connect to Northyards Park at a cost of \$346,000

And

WHEREAS, The Geo. L. Smith II Georgia World Congress Authority has purchased at a cost of \$800,000 and will convey to the Atlanta Housing Authority a tract of land immediately north of Kennedy Street for the purpose of building new housing,

RCS# 3032
8/06/01
2:52 PM

Atlanta City Council

Regular Session

01-O-0819 Abandon Portions of Certain Streets

ADOPT ON SUB

YEAS: 13
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	N Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	NV Boazman	NV Pitts

01-O-0819

RCS# 2994
7/16/01
2:18 PM

Atlanta City Council

Regular Session

01-O-0819 Remove from the Table; Abandon Portions
 of Certain Streets
 Procedure

YEAS: 7
NAYS: 5
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

*MOTION
FAILED*

B McCarty	NV Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	N Martin	Y Emmons
N Bond	B Morris	N Maddox	Y Alexander
N Winslow	Y Muller	N Boazman	NV Pitts

01-O-0819

RCS# 2976
7/02/01
4:20 PM

Atlanta City Council

Regular Session

01-O-0819 Abandon portions of Jones Ave., Elliot
St., Edward St., Johnson St. & Davis St.
TABLE

YEAS: 8
NAYS: 3
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	N Woolard	Y Martin	B Emmons
NV Bond	N Morris	Y Maddox	Y Alexander
NV Winslow	N Muller	Y Boazman	NV Pitts



June 18, 2001

Councilmember "Able" Mable Thomas
Atlanta City Council
55 Trinity Avenue, S. W.
Atlanta, Georgia 30335

Dear Mable:

As you are aware, the Georgia World Congress Center Authority is requesting the City of Atlanta abandon several streets as part of the development of essential parking facilities to serve the Georgia World Congress Center expansion. The World Congress Center is owner of the property on both sides of these streets and City Ordinance 01-0-0819 would convey the streets to the State of Georgia Properties Commission without cost.

Recently the Georgia World Congress Center became aware that MARTA had been using two of these streets to run its 11-English Avenue bus route, which goes through Herndon Homes. Approximately 6 weeks ago, the City of Atlanta temporarily closed these streets for construction and MARTA has subsequently altered the 11-English Avenue route. This has created a problem for some Herndon Homes residents; a problem the Georgia World Congress Center and MARTA have made a commitment to resolve.

There needs to be both a short term and a long term solution to the issue of providing bus service to Herndon Homes. On June 13th, GWCC and MARTA met to examine solutions. Both GWCC and MARTA have agreed on the following:

- 1) For the short term, the Georgia World Congress Center will build a bus turn-around at the southeast corner of John Street and Gray Street. Construction of this turn-around will be on GWCC property and should take approximately 4-6 weeks to construct. Once completed, MARTA will be able to bring its 11-English Avenue bus down Kennedy Street to Gray Street, then Gray Street to the intersection with John Street, turn around, go back up Gray Street to Kennedy and down Kennedy to Northside Drive.
- 2) For the long term, the Georgia World Congress Center will widen John Street to be used by Herndon Homes residents. Immediately south of John Street, GWCC will construct a road from Northside Drive to Gray Street where the road will cul-de-sac and will include access to the Northyards Business Park. MARTA will be able to bring the 11-English Avenue bus onto this new road, turn off the new road onto the wider John Street, go down John Street to Gray Street, turn left onto Gray Street, go along Gray Street to Kennedy Street, turn left onto Kennedy Street, go along Kennedy

Councilmember "Able" Mable Thomas
Page Two
June 18, 2001

Street to Northside Drive. The 11-English Avenue bus would then reverse this route on its southerly return route.

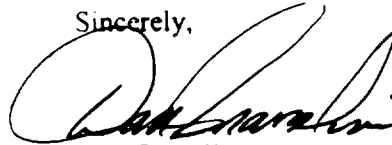
MARTA's approval of this long-term solution is dependent upon a traffic light being installed at Northside Drive and the new road. Both the Georgia Department of Transportation and the City of Atlanta must agree on the installation of a traffic light at this location and Georgia DOT must conduct studies to validate the need for the traffic light. The Georgia World Congress Center Authority will do everything necessary to justify the installation of the traffic light to Georgia DOT and to the City of Atlanta.

There is another issue related to the abandonment of the streets for the Jones Avenue Parking facility. There was interest in keeping Jones Avenue open between Northside Drive and the Jones-Simpson corridor. In our meeting with you on June 16, 2001, we discussed the imminent development by the City of Atlanta of a new Jones/Simpson/Alexander corridor, which will include wider sidewalks, bike lanes, and a divided street, all designed to improve both pedestrian and vehicular access from Northside Drive to Piedmont Road. This project will cause a realignment of Simpson Street and Jones Avenue that will make obsolete any connection with the portions of Jones Avenue that the GWCC is seeking to have abandoned.

To address the desire of English Avenue residents to have improved access to the new Jones/Simpson/Alexander corridor it appears preferable to ask the City of Atlanta to install a new traffic light at Simpson Street and either Maple or Walnut Streets. It is our understanding that you will introduce the appropriate measure in City Council to accomplish this.

Thank you for coming to this past Saturday's "stakeholders" meeting, Mable. We deeply appreciate your input and I personally pledge to you we will remain committed to working with you on issues that impact the community. I appreciate your long-standing support of the Georgia World Congress Center.

Sincerely,



Dan Graveline
Executive Director

DG:BM/k

Enclosures

c: James Brown, MARTA

01-O-0819

(Do Not Write Above This Line)

AN ORDINANCE

BY COUNCILMEMBER CLAIR MULLER

AN ORDINANCE TO ABANDON PORTIONS OF JONES AVENUE, NW, SIMPSON STREET, NW, ELLIOTT STREET, NW, EDWARD STREET, NW (NORTH OF WESTERN AVENUE), EDWARD STREET, NW (SOUTH OF WESTERN AVENUE), JOHNSON STREET, NW, DAVIS STREET, NW, AND AN ALLEY; AUTHORIZE THE CITY TO WAIVE THE REQUIREMENT THAT THE APPRAISED FAIR MARKET VALUE OF THE ABANDONED 716/01 PROPERTIES BE PAID TO THE CITY; AUTHORIZE THE MAYOR TO EXECUTE A QUITCLAIM DEED TO THE GEORGIA STATE PROPERTIES COMMISSION 9/6/01 CONVEYING THE ABANDONED PROPERTIES; AND FOR OTHER PURPOSES.

- ☒ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

AS Amended

Date Referred 5/21/01

Referred To: City Utilities

Date Referred

ADOPTED BY

Referred AUG 06 2001

Substitute

Date Referred

Referred TO: COUNCIL

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee _____
Date 5-23-01
Chair _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings

☒ Consent ☐ V Vote ☐ RC Vote
7/2/01 Removed from Consent by

Thomas Alexander Bond

CERTIFIED
AUG 6 2001

ATLANTA CITY COUNCIL PRESIDENT
Robert A. Pitts

CERTIFIED
AUG 06 2001

Richard D. Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
AUG 13 2001
MAYOR

Removed from consent
by Alexander - Thomas Bond